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From: Richard L. Mayer Date: May 7, 2007  
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**Message:**

U.S. Application Serial No 10/089,395

As per telephone conversation with Ex. Lisa Young of today, I am attaching a copy of the Notice of Appeal/Ext of Time and proof of mailing.

Karin Kuhnla (sec to Richard L. Mayer)

☒ Original will not follow ☐ Original will follow by ☐ Regular Mail ☐ Overnight Delivery ☐ Hand Delivery

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Case No. 10/91/2328  
Ser. No. 10/089395

Atty. *gan*  
Due Date 2/22/07

*03673654*

The Impressed Mail Room date stamp acknowledges receipt of the date indicated of:

- ☐ Application
- ☐ Amendment
- ☐ Assignment
- ☒ Notice of Appeal
- ☐ Prior Art Statement
- ☐ Appeal Brief

- ☒ Extension Request
- ☐ Priority Document
- ☐ Issue Fee
- ☐ Declaration
- ☐ Small Entity



☒ *Dep and 110600*

[10191/2328]

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant(s) : Frank KOWALEWSKI  
Serial No. : 10/089,395  
Filed : July 17, 2002  
For : DATA TRANSMISSION METHOD  
Examiner : Anh-Vu H. LY  
Art Unit : 2616  
Confirmation No. : 5213

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I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on:

Date: 2/22/07Signature: Georgia Gulam  
Georgia Gulam

**NOTICE OF APPEAL AND REQUEST FOR EXTENSION OF TIME**  
**PURSUANT TO 37 C.F.R. §1.136(a)**

Applicant hereby appeals the Examiner's decision made in the Final Office Action dated August 22, 2006, finally rejecting claims 9-16. Applicant also respectfully requests a **three-month extension of time** in which to file the Notice of Appeal from the final Office Action of August 22, 2006, for which a response period was set to expire on November 22, 2006. The three-month extended period for response expires on February 22, 2007.

Applicant previously petitioned for a **one-month extension of time** and authorized payment of the associated fee with the filing of the Amendment dated December 22, 2006. Therefore, the fee for obtaining the three-month extension of time is believed to be \$900.00 (\$1,020 less \$120 already paid).

The Commissioner is hereby authorized to charge the payment of the 37 C.F.R. § 41.20(b)(1) Notice of Appeal fee of \$500.00, and to charge payment of the 37 C.F.R. § 1.136 (a) extension of time fee of \$900.00 to **Kenyon & Kenyon LLP**, Deposit Account No. 11-0600. Any additional fees deemed necessary should also be charged to Deposit Account No. 11-0600. An additional copy of this Notice is enclosed for that purpose.

Respectfully submitted,  
KENYON & KENYON LLP

Dated: February 22, 2007

By: 

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